

**MANDATE
ORIGINAL**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT
-----X

UNITED STATES OF AMERICA,

Appellee.

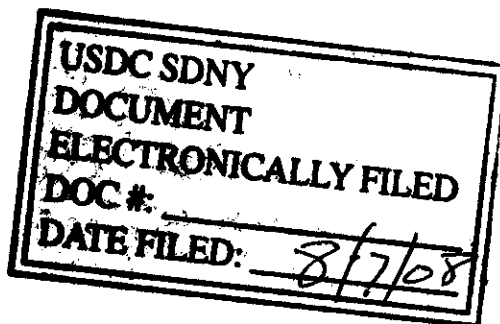
STIPULATION

-against-

Dkt. No. 08-1309-cr

BOBBY NUNEZ-PENA,Appellant.
-----X

It is hereby stipulated between the parties, with the approval
of appellant **Bobby Nunez-Pena**, that the above-captioned appeal is
withdrawn.

Dated: *August 6*, 2008**BOBBY NUNEZ-PENA****BOBBY NUNEZ-PENA**

a/k/a Johnny Gonzalez

No. 08-R-2111

Ulster Correctional Facility

P.O. Box 800

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Napanoch, New York 12458

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Federal Defenders of New York

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KENNETH A. POLITE, Esq.

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SO ORDERED:

FOR THE COURT:

CATHERINE O'HAGAN WOLFE,

By: *Judy Pisanont*

Judy Pisanont, Motions Staff Attorney

Date

A TRUE COPY

Catherine O'Hagan Wolfe, Clerk

by *Ralph [Signature]*

DEPUTY CLERK

Certified 8-12-08